



US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200550176

Date: April 15, 2008

Comments Due: May 15, 2008

In reply, please refer to the Public Notice Number

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct a waste water treatment plant, which would result in impacts to approximately 1.69 acres of waters of the United States, including wetlands, in or adjacent to the Jordan River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated by the Corps under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States and by the State of Utah under Section 401 for water quality certification.

**APPLICANT:** South Valley Sewer District  
Attn: Craig White  
874 East 12400 South  
Bluffdale, Utah 84020

**LOCATION:** The project site is located north of Bangerter Highway adjacent to the Jordan River in Riverton, in Sections 2, 11 and 35, Township 3 South and 4 South, Range 1 West, SLB&M, Salt Lake County, Utah.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a membrane bioreactor wastewater treatment plant along the Jordan River north of Bangerter Highway within Riverton City. The South Valley Sewer District (District) provides wastewater treatment to approximately 150,000 residents located in an area covering over 100 square miles in the south end of the Salt Lake Valley. The existing treatment facility located in West Jordan will not have sufficient capacity for the District's build-out population in the near future. The proposed facility would encompass approximately 30 acres of the 125-acre parcel owned by the District. Initially the proposed facility would have a capacity of 15 million gallons per day (150,000 people), with a maximum capacity of 30 million gallons per day (300,000 people). The plant would produce very high quality effluent which would be discharged into the Jordan River. An outlet structure would be constructed of concrete and designed to dissipate energy in the effluent flows to prevent erosion within the Jordan River. The structure would sit in the bank of the Jordan River but would not protrude into the river channel. Two access roads also are proposed to be constructed: The north/south access road from Bangerter Highway would be the construction and post-construction haul road and a secondary (safety) egress. The east/west road from Lovers Lane would be the primary access road for employees. The treatment plant project would permanently impact 1.69 acres of wetlands, including 1.1 acres of impacts as a result of construction of the two access roads.

**ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 20 acres of mainly palustrine and riparian emergent wetlands within the project area. The project site is characterized by the historic and current 100-year floodplain of the Jordan River. Most of the property is pastureland that has been historically grazed and plowed, and is dominated by non native plant species. The wetland areas are dominated by rushes and wetland grasses. There are stands of Russian olive trees with groundcover consisting mainly of upland grasses and whitetop. The majority of the proposed impacts that would result from construction of the treatment plant would affect the upland pasture fields and Russian olive shrubland.

**Alternatives.** The applicant has provided information on 4 alternatives including a No Action, construction of a new treatment plant in South Jordan, construction of a new satellite plant at South Jordan, and the applicant's preferred alternative, construction of a new treatment plant with associated structures, roads, and utilities at the proposed location along the Jordan River in Riverton. In addition to these alternatives, the applicant has provided information on 15 separate parcels that were evaluated for the proposed wastewater treatment plant. Each parcel was evaluated for ownership, size/shape/topography, proximity to development, wetlands, access and other relevant factors. The applicant also noted that potential sites south of Bangerter Highway were excluded from consideration because such sites would be too far south in the District's gravity collection system to capture a significant portion of the flows.

Under the No Action alternative, all flows would continue to be treated at the existing West Jordan plant. This alternative would require expansion of the existing facility as well as installation of a new trunk line along the Jordan River next to the existing wastewater pipeline from 13500 South to the existing West Jordan plant (about 8 miles).

Under the new plant at South Jordan alternative, the proposed project property was ideal but South Jordan City retained the land and has since rezoned it for high density residential. This property is located off 10600 South adjacent to the Jordan River and north of Mulligans Golf and Game. If this alternative were feasible, it would require installation of a new trunk line along the Jordan River next to existing wastewater pipeline, in order to convey flow from 13500 South to the South Jordan site.

Under the new satellite plant in South Jordan alternative, 13 million gallons per day flows would still be treated at the West Jordan plant but the balance of District flows would be treated at a new smaller satellite plant constructed in South Jordan. Solids from the satellite plant would be conveyed by a new pump station and pipeline to the West Jordan facility for treatment and disposal. This alternative would require installation of a new trunk line along the Jordan River next to the existing wastewater pipeline to carry flows from 13500 South to the South Jordan satellite site.

According to the Sewer District, these 4 alternatives were evaluated and compared on the basis of life-cycle costs (the sum of construction and operating costs). The No Action alternative would have the highest estimated life-cycle costs, \$328 million, which is approximately \$27 million more than the estimate for the Preferred Alternative. The 2 South Jordan new construction alternatives would cost approximately \$7-8 million more in life-cycle costs than the Applicant's Preferred Alternative to construct a new treatment facility in Riverton.

Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant stated that the proposal to use membrane bioreactor technology at the Riverton site is a minimization measure to reduce the size of the facility footprint. Another planned minimization measure is engineering the access road to avoid wetlands within the only available access easement. As compensatory mitigation for unavoidable impacts, the applicant has proposed to restore portions of the historic Jordan River floodplain wetlands which have been converted to agriculture fields. Approximately 2.53 acres palustrine emergent marsh would be restored. Hydrology for the proposed compensatory wetlands would be provided by the effluent of the wastewater treatment plant.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** The United States Environmental Protection Agency has approved the applicant's Section 208 Wastewater Treatment Management Plan. The State of Utah Governor's Office and Salt Lake County are currently reviewing this plan. A conditional use permit and site plan are being reviewed by Riverton City. Under Section 401 of the Clean Water Act, water quality certification or a waiver is required from the Utah Division of Water Quality for this project. The Utah Division of Water Quality intends to issue certification provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (non-point sources) of waste which would occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Andrews, Utah Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870, on or before **May 15, 2008**.

**HISTORIC PROPERTIES:** A class III cultural resource survey was conducted for the applicant by SWCA, which concluded there were no resources within the project area. The State Historic Preservation Office has concurred with the finding that there are no cultural resources within the property.

**ENDANGERED SPECIES:** The Corps has determined that the project will not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act that are listed to occur in Salt Lake County.

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber

production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200550176 must be submitted to the office listed below on or before **May 15, 2008**.

Hollis Jencks, Project Manager  
US Army Corps of Engineers, Sacramento District  
Utah Regulatory Office  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010  
FAX: 801-295-8842  
Email: [hollis.g.jencks@usace.army.mil](mailto:hollis.g.jencks@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reasons for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager, Hollis Jencks at 801-295-8380, ext. 18, or email: [hollis.g.jencks@usace.army.mil](mailto:hollis.g.jencks@usace.army.mil).

Attachments: 5 drawings